

**City of San José**  
**Happy Hollow Park and Zoo-Zoo and Attractions Package**  
March 29, 2007  
**PREQUALIFICATION SUBMITTAL**  
**PREPARATION AND INFORMATION**

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**HAPPY HOLLOW PARK AND ZOO-ZOO AND  
ATTRACTIONS PACKAGE**

Issue Date: MARCH 29, 2007  
Due Date: 4:00pm, APRIL 20, 2007

**Deliver Pre-qualification Submittal Package to:**

**Arlene Nakagawara, Project Manager**  
**Department of Public Works/CFAS Division**  
**City of San José**  
**200 E. Santa Clara Street, Floor 6**  
**San José, California 95113**

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**PROJECT DESCRIPTION**

The City of San José will be accepting bids for the renovation and expansion of the existing 12 acre Happy Hollow Park and Zoo facility located at 1300 Senter Road in San Jose, California. The project is located on the corner of Senter Road and Story Road within Kelley Park.

The project scope of work includes demolishing existing site facilities, installing new site infrastructure to support construction of new retail, concession, education, administration, restroom, ticket booths, visitor services buildings; zoo facilities including a new barn, medical, commissary, goat holding buildings, and small animal exhibits; attractions including new custom electric train with custom shell, new hand pump car attraction, new carousel, and renovation work on existing rides. The project also includes new landscape, irrigation, and coordination with the City's public artist for installation of a significant public art sculpture.

**GENERAL**

The City of San José seeks to pre-qualify responsible general construction firms for anticipated work associated with the construction of the Happy Hollow Park and Zoo-Zoo and Attractions Package Project. The term "Contractor" utilized in this document shall include the general or prime contractor for selected work as defined herein.

Please refer to the Notice To Contractors included in this package for required deadlines. Each prospective bidder must complete the prequalification submittal, provide all materials requested herein, and be approved by the City to be on the final qualified bidders list. Submissions with incomplete or inaccurate documentation will result in the rejection of the prospective bidder.

**For prequalification, the City requires complete and accurate answers to questions contained in the attached questionnaire and a notarized statement from surety company possessing a valid certificate of authority issued by the California Department of Insurance that states the Contractor's current bonding capacity.** The City rates prospective bidders for this work solely on objective criteria based on the information obtained in the prequalification process. The City will use information obtained from the documents submitted, as well as information obtained from references provided. Points are assigned to certain project experience categories to produce an objective score for required project expertise. The total points available per project are 88 or 264 total for the 3-project experience requirement based on the stated point totals for each category. **The sum total point score for all three projects required for pre-qualification based on the information provided is 240. Reference verification of project information is required to achieve full point values for any scored category. The City requires a three project sum total point score of at least 240 for pre-qualification.**

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**Reference verification of project information is required to achieve full point values for any scored category. The City reserves the right to make an investigation of any pre-qualified Bidder's financial condition, trustworthiness, fitness, capacity and experience to satisfactorily perform the contract.**

The City will issue a Notice of Determination to each submitting Contractor after the submittal deadline indicating the Contractor's total score and the resulting pre-qualification status for bidding the project. The City reserves the right to adjust, increase, limit, suspend or rescind the prequalification rating based on information discovered subsequent to issuing the Notice of Determination.

Contractor deemed not qualified, or contractors whose rating subsequently changes to result in disqualification will be notified through the Notice of Determination and given an opportunity for a hearing as described below. No contractor shall have the right to appeal a determination that it is not qualified based upon its submission of a late or incomplete pre-qualification submittal.

**PREQUALIFICATION STATUS APPEAL PROCEDURE**

The City shall deliver a written Notice of Determination to each contractor indicating the Contractor's pre-qualification status for bidding the described project. Challenges to the Contractor's pre-qualification status shall comply with the following appeal procedure.

No contractor shall have the right to protest a determination based upon submission of a late, incomplete, or inaccurate pre-qualification application. Any contractor determined by the City as otherwise not qualified or responsible shall have the right to a protest hearing. ***All contractor costs incurred pursuant to the protest shall be at the contractor's sole expense.***

The contractor shall initiate a protest by delivering a written notice to the City requesting a hearing and setting forth in general terms the basis of the protest. The contractor shall deliver the written notice to the same location as the pre-qualification package within ten (10) business days following the date of the City's written Notice of Determination that the contractor is not qualified or responsible. The Contractor waives its right to protest the City's decision if it fails to deliver the notice within ten (10) business days.

The City Public Works Director shall conduct a hearing on the protest no later than twenty (20) business days following the Contractor's delivery of the written notice of appeal. The hearing shall be informal and need not be an evidentiary hearing. At the hearing, the Contractor will be given the opportunity to present information and present reasons in opposition to the rating. The City Public Works Director shall consider all evidence, information and arguments submitted by

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the Contractor relevant to the City's determination, the City's response to such evidence, information and arguments, and any other information the Director deems relevant.

Within twenty (20) business days following the hearing, the City Public Works Director shall issue a written decision whether the Contractor is qualified or not qualified to bid the project described in this notice. The City Public Works Director's written decision is the final determination of the issue, and the Contractor shall have no further administrative appeals.

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**PREQUALIFICATION**

The City will make a public award contract for this project only to the lowest responsible and responsive bidder that is deemed qualified through participation in this prequalification process. Each prospective bidder must successfully be pre-qualified for the Happy Hollow Park and Zoo-Zoo and Attractions Package through the process outlined in this document. No other pre-qualification process completed for the City will meet these requirements. Please refer to the Notice To Contractors included in this package for required deadlines.

All information requested in the pre-qualification submittal must be submitted for pre-qualification consideration. All prospective contractors must complete and submit all prequalification documents, with any attachments or other supplemental information, in one complete package by the date stated in the Notice To Contractors. The City will not accept information or documents from other parties. Submission of an incomplete and/or unclear prequalification submittal will result in rejection of the prospective contractor from pre-qualification consideration.

Any questions or requests must be submitted in writing to the City, to the attention of Arlene Nakagawara, Project Manager Department of Public Works, CFAS Division, City of San José, 200 E. Santa Clara Street, 6<sup>th</sup> Floor, San Jose, CA 95113 (facsimile: 408-291-6288 or email: arelene.nakagawara@sanjoseca.gov). The contractor shall rely only on this Request for Prequalification of Bidders document and any subsequent written supplement issued by the City for preparation of the prequalification submittal. Contractors shall not rely on any other written or any oral statements of the City or its officers, directors, employees, or agents regarding the overall project or the prequalification package in preparing and submitting the prequalification submittal.

While it is the intent of the prequalification questionnaire and documents required therewith to assist the City in determining contractor responsibility prior to bid and to aid the City in selecting the lowest responsible bidder, neither the fact of prequalification, nor any prequalification rating, will preclude the City from a post-bid consideration and determination of bidder responsibility.

The City must comply with the Public Records Act and therefore cannot guarantee or represent that any information submitted by a firm/entity will be kept confidential. If the City receives a request for any documents submitted by a contractor in response to the City's request for prequalification submittals, the City's sole responsibility will be to notify the contractor of a request for such document to allow the contractor to seek protection from disclosure in a court of competent jurisdiction.

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**PREPARATION OF PREQUALIFICATION SUBMITTALS**

The prequalification submittal information should be presented bound and separated by section dividers. Oversize drawings (larger than 11x17), if provided, should be folded and inserted in plastic carriers. Three (3) copies of the prequalification submittal shall be delivered to the City of San José at the time and place indicated elsewhere in this notice. The completed prequalification submittal should not exceed 25 pages, including drawings. The City reserves the right to waive minor irregularities and omissions in the information contained in the prequalification submittal and the form of such information.

**EVALUATION AND ANALYSIS**

Compliance with minimum qualifications of prospective contractors will be determined from the information in each prequalification submittal. The City reserves the right to verify from other available sources the information provided by the contractor and to rely upon such information gathered during the verification process. The City's decision will be based on objective evaluation criteria. Further consideration of a prospective contractor's qualifications will be made only if the prospective contractor meets all of the following minimum requirements:

1. Possession of a valid California Contractor's Class **"A" General Engineering Contractor** or Class **"B" General Building Contractor** license.
2. Notarized statement from a surety company possessing a valid certificate of authority issued by the California Department of Insurance stating the Contractor's current bonding capacity.
3. An average California Experience Modification Rate of 1.24 or less for the last three years
4. Demonstration of the necessary level of Construction Project Experience (as defined in Part II-A of this document, entitled "Recent Construction Projects Completed")

The City of San José will evaluate each responding contractor's statement for minimum qualifications and publish a list of qualified contractors.

Construction documents defining the project scope of work will be available to contractors placed on the pre-qualified list, with an invitation to submit sealed bids.

**END OF SECTION**

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**APPLICATION FORM**

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The undersigned certifies that the statements and information contained in this submittal are complete and accurate and that the submittal contains no false or deliberately misleading information. The undersigned hereby agrees and declares that receipt of this submittal by the City of San José does not constitute either a direct or implied guarantee to the Contractor that prequalification is or will be granted and also agrees to the procedures and conditions of the prequalification requirements described in the prequalification submittal.

(1) Legal Name of Applicant (Contractor): \_\_\_\_\_

\_\_\_\_\_

(2) Address of Applicant: \_\_\_\_\_

\_\_\_\_\_

(3) Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

(4) Applicant is: ☐ Corporation ☐ Partnership  
☐ Sole Proprietorship ☐ Joint Venture

(5) If Applicant is a Corporation, name the State of Incorporation: \_\_\_\_\_

(6) Number of years the Applicant has been licensed Contractor: \_\_\_\_\_

(7) Execution.

The undersigned is a legally authorized representative of the Contractor. The legal name of the Contractor is:

\_\_\_\_\_

State of California Contractor's License Number, including all specialty licenses and certifications:

License Number: \_\_\_\_\_ Type(s): \_\_\_\_\_

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Contractor's Telephone Number: \_\_\_\_\_

Contractor's Facsimile Number: \_\_\_\_\_

I \_\_\_\_\_, being first duly sworn, says that all statements and  
Name  
Information contained in this Submittal is complete, accurate and contains no false or  
deliberately misleading information.

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007

Notary Public in and for the State of \_\_\_\_\_

Residing at: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

**END OF FORM**



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**PART I      ESSENTIAL REQUIREMENTS FOR QUALIFICATION**

**Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “no.”**

**Contractor will be immediately disqualified if the answer to any of questions 6 through 10 is “yes.”**

1. Contractor possesses a valid and current California Contractor’s License for the project  
Prospective bidders acting as prime contractors must have a California contractor’s license, **Class “A” General Engineering Contractor or Class “B” General Building Contractor** to bid this project.

☐ No      ☐ Yes

2. Contractor has a liability insurance policy with a policy limit of at least \$5,000,000 per occurrence.

☐ No      ☐ Yes

3. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq. with a policy limit of \$1,000,000 per accident.

☐ No      ☐ Yes      ☐ Contractor is exempt from this requirement, because it has no employees

4. Contractor submitted a notarized statement from a surety insurer approved by the California Department of Insurance and authorized to issue bonds in the State of California stating the Contractor’s current bonding capacity is sufficient for this project’s estimated value.

☐ No      ☐ Yes

**NOTE: Notarized statement must be from the surety company, not an agent or broker.**

5. Contractor has an average California Experience Modification Rate of 1.24 or less over the last three years.

☐ No      ☐ Yes

6. Has your contractor’s license been revoked or suspended at any time in the last five (5) years?

☐ No      ☐ Yes

7. Has a surety company completed a contract on your behalf, or paid for completion because your company was default terminated by the project owner within the last five (5) years?

☐ No      ☐ Yes

- 
8. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded any local, state or federal public works contract, or perform as a subcontractor on any such public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7 or any other local, state or federal law or regulation?
- ☐ No ☐ Yes
9. At any time during the last five (5) years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
- ☐ No ☐ Yes
10. In the last five (5) years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or terminated "for cause" from a construction project, or defaulted on a construction contract, or been found not to be responsible?
- NOTE: "associated" refers to another construction firm in which an owner, partner or officer of your firm held a similar position.**
- ☐ No ☐ Yes

**END OF PART I**

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## PART II      EXPERIENCE REQUIREMENTS

To qualify to bid on the Happy Hollow Park and Zoo-Zoo and Attractions Package project, the contractor must have completed of a minimum of three (3) projects within the last five (5) years where (a) the project point total for all three projects is equal to or greater than 240 based on the individual project elements and associated point values indicated below and (b), the ***minimum*** total construction value of the project was at least \$10 million including contract changes. The contractor shall provide the information required below for each of the three projects. Partial points are not granted where individual categories contain subcategories. The respondent is encouraged to identify previous projects that not only meet the required criteria, but also closely match the description of the Happy Hollow Park and Zoo-Zoo and Attractions Package project provided on page 5 of this document. Names and references must be current and verifiable.

1) Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner's representative contact information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Completion Date: \_\_\_\_\_

Total Construction Value (including change orders):    \$ \_\_\_\_\_

Description of Project, Scope of Work Performed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Check if applicable to this project:

☐ Site grading and drainage (10 points)

☐ Site demolition (10 points)

☐ Asbestos remediation and removal (10 points)

☐ Site storm water management and erosion control during construction (10 points)

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☐ Site infrastructure: (10 points)- (Project must contain and Contractor check all the following-no partial credit)

- ☐ Sanitary sewer
- ☐ Storm water system (sub surface)
- ☐ Storm water (surface structures such as swales, detention/retention basins)
- ☐ Electrical
- ☐ Potable water
- ☐ Gas
- ☐ Communications
- ☐ Data

- ☐ Building(s) over 2000 square feet (10 points)
- ☐ Vehicular paving systems (10 points)
- ☐ Pedestrian paving systems (10 points)
- ☐ Construction documentation leading to LEED certification (1 point)
- ☐ Primavera Project Scheduler v3.0 or higher for project schedule control (1 point)
- ☐ Primavera Claim Digger v3.0 or higher for project schedule analysis (1 point)
- ☐ Animal exhibits (1 point)
- ☐ Food service installation (1 point)
- ☐ Ride and attractions installation (1 point)
- ☐ Children's play equipment installation (1 point)
- ☐ Custom signage (1 point)

Drawings and/or photos attached ☐ yes ☐ no

2) Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

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Owner's representative contact information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Completion Date: \_\_\_\_\_

Total Construction Value (including change orders): \$ \_\_\_\_\_

Description of Project, Scope of Work Performed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check if applicable to this project:

☐ Site grading and drainage (10 points)

☐ Site demolition (10 points)

☐ Asbestos remediation and removal (10 points)

☐ Site storm water management and erosion control during construction (10 points)

☐ Site infrastructure: (10 points) (Project must contain and Contractor check all the following-no partial credit)

☐ Sanitary sewer

☐ Storm water system (sub surface)

☐ Storm water (surface structures such as swales, detention/retention basins)

☐ Electrical

☐ Potable water,

☐ Gas

☐ Communications

☐ Data

☐ Building(s) over 2000 square feet (10 points)

☐ Vehicular paving systems (10 points)

- 
- ☐ Pedestrian paving systems (10 points)
  - ☐ Construction documentation leading to LEED certification (1 point)
  - ☐ Primavera Project Scheduler v3.0 or higher for project schedule control (1 point)
  - ☐ Primavera Claim Digger v3.0 or higher for project schedule analysis (1 point)
  - ☐ Animal exhibits (1 point)
  - ☐ Food service installation (1 point)
  - ☐ Ride and attractions installation (1 point)
  - ☐ Children's play equipment installation (1 point)
  - ☐ Custom signage (1 point)

Drawings and/or photos attached ☐ yes ☐ no

3) Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner's representative contact information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Completion Date: \_\_\_\_\_

Total Construction Value (including change orders): \$ \_\_\_\_\_

Description of Project, Scope of Work Performed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Check if applicable to this project:

☐ Site grading and drainage (10 points)

☐ Site demolition (10 points)

- 
- ☐ Asbestos remediation and removal (10 points)
  - ☐ Site storm water management and erosion control during construction (10 points)
  - ☐ Site infrastructure: (10 points) (Project must contain and Contractor check all the following-no partial credit)
    - ☐ Sanitary sewer
    - ☐ Storm water system (sub surface)
    - ☐ Storm water (surface structures such as swales, detention/retention basins)
    - ☐ Electrical
    - ☐ Potable water,
    - ☐ Gas
    - ☐ Communications
    - ☐ Data
  - ☐ Building(s) over 2000 square feet (10 points)
  - ☐ Vehicular paving systems (10 points)
  - ☐ Pedestrian paving systems (10 points)
  - ☐ Construction documentation leading to LEED certification (1 point)
  - ☐ Primavera Project Scheduler v3.0 or higher for project schedule control (1 point)
  - ☐ Primavera Claim Digger v3.0 or higher for project schedule analysis (1 point)
  - ☐ Animal exhibits (1 point)
  - ☐ Food service installation (1 point)
  - ☐ Ride and attractions installation (1 point)
  - ☐ Children's play equipment installation (1 point)
  - ☐ Custom signage (1 point)
- Drawings and/or photos attached ☐ yes ☐ no

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I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

**END OF QUESTIONNAIRE**

(For City use only)

Total Point Score for 3 projects = \_\_\_\_\_

Pre-qualified: ☐ yes ☐ no